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20 Attorneys for Defendant GrubHub, Inc.

21 **UNITED STATES DISTRICT COURT**  
22 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

23 AMERANTH, INC.

24 Plaintiff,

25 v.

26 PIZZA HUT, INC., et al.

27 Defendants.

28 AND RELATED COUNTERCLAIMS.

Civil Action No.: 11cv1810 DMS-WVG  
[and consolidated cases]

[Complaint filed August 15, 2011]

**EX PARTE MOTION TO WITHDRAW  
COUNSEL (DAVID LESHT)**

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1 **TO THE COURT AND ALL PARTIES:**

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3 PLEASE TAKE NOTICE that pursuant to Local Rule 83.3, The Law Offices of Eugene  
4 M. Cummings PC and attorney David Lesht hereby move to withdraw as co-counsel for  
5 Defendant GrubHub, Inc. Plaintiff Ameranth, Inc. does not oppose this motion. Defendant  
6 GrubHub, Inc. does not object and will continue to be represented by other existing counsel of  
7 record.

8  
9 DATED: December 9, 2013. THE LAW OFFICES OF EUGENE CUMMINGS PC

10  
11 By: s/ David Lesht  
12 David Lesht (*Pro Hac Vice*)  
13 The Law Offices of Eugene M. Cummings PC  
14 1 N. Wacker Drive, Suite 4130  
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19 Attorneys for Defendant GRUBHUB, INC.  
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**CERTIFICATE OF SERVICE AND DECLARATION OF SERVICE PURSUANT TO  
LOCAL RULE 83.3**

I hereby certify that on December 9, 2013, I caused a true and correct copy of the foregoing to be served by electronic means, via the Court's CM/ECF system, on all counsel registered to receive electronic notices.

In addition, pursuant to Local Rule 83.3, I caused the foregoing to be served on Defendant

GrubHub, Inc.:

Ethel Spyrtatos, Esq.  
GrubHub, Inc.  
111 West Washington Street  
Chicago, Ill. 60602

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 9, 2013 at Chicago, Illinois.

s/ David Lesht  
Attorney for Defendant GrubHub, Inc.  
Email: dlesht@emcpc.com